



APPLICATION 10/634,869

Information Disclosure Statement

Copies of documents presented for consideration are listed on a separate form, but also are noted below with “extras” -- commentary and directions – to direct the reviewer. These documents refer to three epidemiology (human) data sets: [A] the Taiwan data set, part of which the EPA regulators relied on in lowering the arsenic in drinking water standard from 50 to 10 µg/L (or parts per billion [ppb]); [B] the Millard, Utah data set that EPA scientists collected and published on, but EPA regulators ignored; and [C] the Cuzak data set of British patients treated medicinally for non cancer ills with arsenic.

A.

1. Kayajanian, G. “Arsenic, cancer and thoughtless policy” (2003). Ecotoxicology and Environmental Science 55: 139-142. This paper examines broad cancer groupings in all three data sets.
2. Pages 308-309 [Table A-10-1] NRC (NAS) 1999 Arsenic in Drinking Water Report. National Academy Press. These two pages contain the actual data EPA employed to justify lowering the arsenic standard; Kayajanian also relied on this table to contradict the EPA claims and, in part, to make his patent claims.
3. Morales, KH, Ryan, L et al., “Risk of Internal Cancers from Arsenic in Drinking Water” (2000). Environmental Health Perspectives 108(7): 655-661. This paper draws the EPA conclusion that lowering the arsenic level always lowers the bladder cancer mortality. Note particularly in Table 5 the Cancer and PYR (person-years) entries associated with exposure categories 0-50 and 50-100. The cancer rate increases in 0-50 compared to 50-100, which Morales, Ryan fail to note, even as they validate the kind of comparison Kayajanian makes using exposure groupings [(10-32) and (42-60)], which are more relevant to the EPA regulatory question: Should EPA keep the arsenic-in-drinking-water standard at 50 ppb or lower it?

B.

4. Cover sheet (identity of sender deleted), two tables, five-page 2000 EPA Report [“A Re-Analysis of Arsenic-Related Bladder and Lung Cancer Mortality in Millard County, Utah”] and 55-page data set on the Millard, Utah population published on by Lewis, Southwick et al. in 1999.
5. Manuscript: Kayajanian, G. “J-shaped Disease Response to Arsenic Levels in Utah Drinking Water” based on the 55-page Millard, Utah set, drafted prior to this patent filing.

C.

6. Cuzick, J., Evans, S. et al. “Medicinal Arsenic and Internal Malignancies” (1982). British Journal Cancer 45: 904-910. See Table III.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

one

of

2

Complete if Known

Application Number

10/634,869

Filing Date

816/2003

First Named Inventor

Кацарский Г.

Art Unit

1644

Examiner Name

JAMES D. Anderson

Attorney Docket Number

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

two

of

2

Complete if Known

Application Number

10/634,869

Filing Date

8/6/2003

First Named Inventor

KAYAJANIAN, G

Art Unit

1614

Examiner Name

James D. Anderson

Attorney Docket Number

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KAYAJANIAN, G. "Arsenic cancer and thoughtless policy (2003) Ecotoxicology & Environmental Safety 55: 139-142, USA	
		PP 308-309 NAS/NRC Report on Arsenic in Drinking Water (TABLE LO-1A) (1999) NATIONAL ACADEMY PRESS	
		Morales, KH, Ryan L, et al. Risk of Internal Cancer from Arsenic in Drinking Water (2000) Env. Health Perspectives 108(7): 655-661.	
		EPA Report (2000) "A Re-Analysis of Arsenic-Related Bladder and Lung Cancer Mortality in Millard County, Utah - 5 pages plus 2 pages of graphs plus 55 page dataset } unpublished { plus cover letter	
		Manuscript: Kayajanian, G. "J-shaped Disease Response to Arsenic levels in Utah Drinking Water - 13 pages (2003)	
		Cuzick, J., Evans, S. et al (1982) "Medicinal Arsenic and Internal Malignancies" Britis L Journal Cancer. 45: 904-910	
		1 page Information Disclosure Statement	
		1 page Specifications	
		2 page Application of Specifications	
		1 page Claim Rejection comments/Response	
		1 page Correspondence and meeting records	

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